

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: RAILWAY INDUSTRY	)	Master Docket Misc. No. 18-798
EMPLOYEE NO-POACH ANTITRUST	)	
LITIGATION	)	MDL No. 2850
	)	
This Document Relates to:	)	
ALL ACTIONS	)	

**DECLARATION OF CLASS REPRESENTATIVE PATRICIA LONERGAN**

I, Patricia Lonergan, declare as follows:

1. I make this statement on the basis of my personal knowledge and, if called as a witness, could and would testify as to its contents. I am a Class Representative in this lawsuit.
2. Since retaining Hartley LLP to file a class action lawsuit on my behalf, attorneys at the firm have regularly updated me regarding the status of the case. They have also consulted me throughout the litigation on a variety of issues, including discussions about the status of settlement discussions with the Defendants, the Court's motion to dismiss order, the amended complaint, and responding to Defendants' discovery requests.
3. I understand the responsibilities of a Class Representative and I have fulfilled, and I continue to fulfill, my duties to the Class. I have been actively involved in the litigation of this case, as described more fully below, and have been in close contact with the attorneys representing the Class to monitor and contribute to this case throughout.
4. I was not promised any amount of money to serve as a Class Representative, or in connection with supporting the settlements with Wabtec and Knorr. My support for the Settlements is based on my view, in light of the record and the risks, that they are in the best interests of the Class.

5. My attorneys consulted me about the settlement negotiations with Defendants as they occurred, and I authorized my attorneys in these negotiations. I authorized the proposed settlements, and I believe that they are fair, adequate, and reasonable. I believe that my attorneys worked diligently to secure these settlements in the best interests of the Settlement Class.

6. I believe these are good settlements that are in the best interest of the Settlement Class.

7. In my role as Class Representative, I have expended substantial time and effort (as more fully explained below) to perform actions that have benefited the Settlement Class.

8. Since I first retained Hartley LLP, I have spent well over 160 hours fulfilling my role as a Class Representative in this case. A summary of my activities is as follows:

- a. Meeting with and speaking with my attorney as part of the initial investigation of this case;
- b. Preparing, reviewing and finalizing my initial complaint;
- c. Consulting with the attorneys on amending the complaint and the appropriate class definition;
- d. Reviewing drafts of pleadings, including the Consolidated Complaint and Consolidated Amended Complaint and other documents before authorizing my attorney to file them and providing input on these documents;
- e. Gathering documents to provide to my attorneys for possible production to Defendants in discovery, as well as helping my attorneys understand the documents and the industry;

- f. Assisting my attorneys with the collection and review of electronically stored information on my work and personal e-mail accounts, several external hard drives and computers;
- g. Reviewing and finalizing responses to 19 document requests, and preparing, reviewing, finalizing, and verifying my responses to 16 interrogatories; and,
- h. Participating in regular conversations with my attorneys throughout the duration of this case, and additional communications by way of frequent and regular email correspondence.

9. My participation in this lawsuit was particularly burdensome given the extensive electronic searches of my sensitive personal electronically stored information as part of the document production here. These searches included permitting the imaging and review of my personal email accounts, my personal computers, personal and professional external hard drives and my personal and professional social media accounts. This process was very invasive and required substantial time working with the attorneys and the eDiscovery vendor that was retained.

10. To date, I have not received any personal benefit from my participation in this case, but I chose to serve as a Class Representative because I believe strongly that it is necessary to stand up for other employees besides myself.

11. Given the close-knit nature of the railway industry, and the prominence of the Defendants in this case, I have taken substantial risks in my own career by stepping forward as a Class Representative here. I took the risk that other companies might not hire me or that clients might not want to work with me because I served as a Class Representative in this action. This risk is particularly high given the relatively small number of railway employers in this industry.

For example, last year my current employer nominated me as the communications lead, on a Texas rail project we are partnered with Wabtec, and Wabtec explicitly refused to work with me and told my boss they would never work with me. That risk will continue throughout the entirety of my career.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Highlands Ranch, Colorado on April 30, 2020.

By:   
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Patricia Lonergan